

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Pang-Lun YANG

For: Display

The specification of which is attached hereto. If the application is not attached hereto, the specification:

(If specification is not attached, fill in applicable information below)

\_\_\_\_\_ was filed on \_\_\_\_\_ as U.S. or PCT International Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_.

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR(S) (37 C.F.R. § 1.147)**

This statement is made as to the exact facts that are relied upon to establish the diligent efforts made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the United States Patent and Trademark Office.

Because the signing on behalf of the nonsigning inventor is by an entity showing sufficient proprietary interest, this statement also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by person having first-hand knowledge of the facts recited herein.

**I. IDENTIFICATION OF PERSON MAKING THIS STATEMENT**

Name: Yu-Hui SUNG

Address: No. 14, Lane 22, Singjhong St., Gueishan Township, Taoyuan County 333, Taiwan, R.O.C.

**II. LAST KNOWN ADDRESS OF NONSIGNING INVENTOR**

Full name of nonsigning inventor: Pang-Lun YANG

Last known address of nonsigning inventor: 3Fl.-2, No. 2, Lane 71, Swei Rd., Wuchi Jen, Taichung, Taiwan 435, R.O.C.

**III. DETAILS OF REFUSAL OF NONSIGNING INVENTOR TO SIGN APPLICATION PAPERS**

Please see attached declaration of Yu-Hui Sung.

IV. EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND OBTAIN INVENTOR'S SIGNATURE

This application claims priority under 35 U.S.C. § 119 from:

Priority Application Serial No.: 92102717

Priority Application Country: Taiwan, R.O.C.

Priority Application Filing Date: January 30, 2003

Efforts were made during the convention year to prepare the application and obtain the signature of the inventor(s). Efforts to obtain the signature of the nonsigning inventor are detailed above in section III.

V. PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE OR PRESERVE THE RIGHTS OF PARTIES

This application claims foreign priority, as noted in section IV. Irreparable damage will be suffered unless the application is timely filed to make claim to the benefit of foreign priority.

Date: 2003/11/13

Yu-Hui Sung  
Yu-Hui SUNG  
*Signature of person making statement*

**In re Application of: Pang-Lun YANG**

**Serial No. :**

**Filing Date:**

**Title: Display**

**DECLARATION  
REGARDING INVENTOR'S REFUSAL TO SIGN DECLARATION**

I, Yu-Hui SUNG, declare that:

1. I am an employee of BENQ Corporation. (hereinafter " BENQ Corporation").
2. In this capacity, I was instructed to contact Pang-Lun YANG in order to secure the signature of Pang-Lun YANG on formal papers for filing in the above-referenced patent application in the U.S. Patent and Trademark Office.

3. I reached Pang-Lun YANG via telephone on 2003/10/16. During this conversation, however, he told me that he was no longer an employee of BENQ Corporation, and as such he refused to sign any Declaration of his pending patent applications assigned to BENQ Corporation. He also stated on the telephone that the application papers should not be sent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2003/11/13

Signature: Yu-Hui Sung  
Yu-Hui SUNG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Pang-Lun YANG**

For: Display

The specification of which is attached hereto. If the application is not attached hereto, the specification:

(If specification is not attached, fill in applicable information below)

\_\_\_\_ was filed on \_\_\_\_\_ as U.S. or PCT International Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

**STATEMENT ESTABLISHING PROPRIETARY INTEREST BY PERSON SIGNING ON  
BEHALF OF NONSIGNING INVENTOR**

**I. IDENTIFICATION OF PERSON MAKING STATEMENT**

I, Hermit HUANG

Name of person making statement

residing at:

2F, No. 121, Lane 269, Sec. 6, Mincyuan E. Rd., Neihs District, Taipei City 114,  
Taiwan, R.O.C.

*Address of person making statement*

am the person signing the declaration on behalf of the above-identified application on behalf of the nonsigning inventor and make this statement as to the facts establishing proprietary interest.

II. As of the date I signed the declaration for this application, the proprietary interest in this invention belonged to:

**BENO Corporation**

Name of company

157, Shan-Ying Rd., Kewishan, Taoyuan 333, Taiwan, R.O.C.

*Address of company*

and I am authorized to sign on behalf of this entity, my title being:

## Vice President & General Manager

*Title of person making statement*

III. I establish the proprietary interest by attaching a copy of the assignment of this invention by the nonsigning inventor, and a translation thereof into the English language.

#### IV. ASSIGNEE'S STATEMENT

In accordance with 37 C.F.R. § 3.73, the assignee hereby states that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of

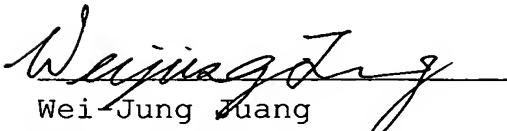
assignee's knowledge and belief, title is in the assignee to take this action.

✓  
Date: 11/13/03

✓  
*Hermit Huang*  
\_\_\_\_\_  
Hermit HUANG  
Signature of person making statement

## DECLARATION

I, Wei-Jung Juang of YUSO INTERNATIONAL PATENT & TRADEMARK OFFICE located at 2F, No.171, Sungteh Rd., Taipei, Taiwan, R.O.C, hereby declare that I am the true translator to the Inventor's Oath & Assignment of Taiwanese Patent Application No. 92112870 entitled Display filed on May 13, 2003, and certify that the document attached is a true translation to the best of my knowledge and belief.

  
Wei-Jung Juang  
[Signature of Translator]

11/17/2003  
[Date]

For patent application in Taiwan,  
Republic of China  
(No legalization required)

**Oath & Assignment**

1. The undersigned hereby undertake that the invention/new utility model/new design entitled:

Display

was truly invented by me/us. The undersigned agree to accept punishments provided for in laws in case of any imposture, plagiarism, imitation or deceptive activities.

2. The undersigned hereby assign all my/our rights and interests regarding the invention/new utility model/new design to:  
BENQ Corporation

Inventor: **Pang-Lun YANG**  
ID Number: J120051011

*Sign and Seal*

Address: 3Fl.-2, No. 2, Lane 71, Swei Rd., Wuchi Jen, Taichung, Taiwan  
435, R.O.C.

Dated this 25 day of November, 2002

專利宣誓書及申請權證明書

茲謹宣誓：本案申請專利之「直下式背光模組」確係發明（創作）人所發明（創作），倘有冒充、抄襲、模仿、影射或其他不實情形，願受法律之懲罰。

發明（創作）人同意將所發明（創作）之專利申請權讓與「明基電通股份有限公司」申請專利。

此證

發明（創作）人：楊邦倫

J120051011

簽章 楊邦倫



住

址：台中縣梧棲鎮四維路71巷2號3樓之2

④ 讓渡書  
此份會子署成英文

0535/89907W/891201

中華民國九十一年十一月二十五日



**BIRCH, STEWART, KOLASCH & BIRCH, LLP**P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

DISPLAY

Fill in Appropriate

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Information -  
For Use Without  
Specification  
Attached:

The specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on \_\_\_\_\_ as PCT  
International Application Number \_\_\_\_\_; and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations; §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Insert Priority  
Information:  
(if appropriate)

<u>92112870</u> (Number)	<u>Taiwan</u> (Country)	<u>May 13, 2003</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 02292**

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:  
↓

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor  
Insert Date This  
Document is Signed →

Insert Residence  
Insert Citizenship →

Insert Post Office  
Address →

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

Full Name of Fifth  
Inventor, if any:  
see above

Full Name of Sixth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Pang-Lun Yang	INVENTOR'S SIGNATURE non-signing inventor- completed on added page	DATE*
Residence (City, State & Country) TaiChung, Taiwan	CITIZENSHIP Taiwan, R.O.C.	
MAILING ADDRESS (Complete Street Address including City, State & Country) 3F-2, No.2, Ln.71, SzuWei Rd., WuChi Town, TaiChung, Taiwan, R.O.C.		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		

**ADDED PAGE(S) TO DECLARATION FOR SIGNATURE BY PERSON WITH SUFFICIENT  
PROPRIETARY INTEREST WHERE NO INVENTOR IS AVAILABLE TO SIGN  
(37 C.F.R. § 1.47(b))**

I, Hermit HUANG

*Name of person authorized to act on behalf of entity with sufficient proprietary interest*

hereby declare that:

I. I am a citizen of Taiwan, residing at:

2F, No. 121, Lane 269, Sec. 6, Mincyuan E. Rd., Neihu District, Taipei City 114,  
Taiwan, R.O.C.

*Address of person authorized to act on behalf of entity with sufficient proprietary interest*

II. I am authorized by the following juristic entity with sufficient proprietary interest:

BENQ Corporation

*Name of assignee or entity having sufficient proprietary interest*

157, Shan-Ying Rd., Kewishan, Taoyuan 333, Taiwan, R.O.C.

*Address of assignee or entity having sufficient proprietary interest*

Vice President & General Manager

*Title of person executing this declaration*

III. By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for, the following inventor(s) who refuse to sign:

Pang-Lun YANG

*Full name of nonsigning inventor*

Taiwan, R.O.C.

*Country of citizenship of nonsigning inventor*

3Fl.-2, No. 2, Lane 71, Swei Rd., Wuchi Jen, Taichung, Taiwan 435, R.O.C.

*Last known address of nonsigning inventor*

IV. Upon information and belief, I aver those facts that the inventor is required to state, 37 C.F.R. § 1.64(b).

V. Accompanying this declaration is:

- (1) A statement of facts in support of filing on behalf of nonsigning inventor, and
- (2) A statement by person signing on behalf of nonsigning inventor establishing proprietary interest,

to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of the parties or prevent irreparable damage.

✓  
Date: 11/13/03

✓  
Hermit Huang

Hermit HUANG

*Signature of person authorized to act on behalf of entity with sufficient proprietary interest*